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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OFFICEACTIONS@FDML.COM

Office Action Summary**Application No.**

10/786,742

Applicant(s)

BALES ET AL.

Examiner

JOHN HEFFINGTON

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1-5, 12-17, 34-38, 45-55, 62-67, 69-71 and 73-77 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1-5, 12-17, 34-38, 45-55, 62-67, 69-71 and 73-77 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-942)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date 6/21/11.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

This action is in response to the request for continued examination dated 2 December 2010. Claims 1, 2, 34, 35, 51, 52, 73 and 74 have been amended. Claims 6-8, 10, 11, 18-33, 39-41, 43, 44, 56-58, 60, 61, 68 and 72 have been previously canceled. Claims 9, 42 and 59 have been canceled. Claims 75-77 are new. Claims 1-5, 12-17, 34-38, 45-55, 62-67, 69-71, 73-77 are pending and have been considered below.

Response to Arguments

Applicant's arguments filed 2 December 2010 have been fully considered but they are not persuasive.

The applicant argues that "each user role in Hutsch is associated with a pre-defined, or fixed, access rights to system resources, whereas the second user interface, as embodied in Claim 1, further allows a user to select different entitlement capabilities from a set of entitlement capabilities for a role that is selected by the user for a portal component. In other words, as embodied in Claim 1, the entitlement capabilities for a role can be changed by a user through the second user interface." The examiner respectfully disagrees. The cited paragraph in Hutsch is paragraph 0324, "This means various user roles with different access rights to system resources can be defined." Furthermore, Hutsch discloses "For example, a user profile can include any or all of: ... User policies regarding personal data and resources, who can access them, what

type of access, etc.," (paragraphs 0310 and 0314). These administrative abilities to assign resource access rights to a user are open ended; there are no restrictions to pre-defined or fixed access rights for a particular user role. Hutsch makes no reference to pre-defined or fixed access rights in the specification; therefore there is no reason to believe that an administrator would be limited to certain access rights for particular users. Further, the inventive concept of Hutsch is "In one embodiment, the inventive network portal system is used for providing the interfacing and aggregation of services via a network, and acts as a content switch leading these streams to the appropriate service filters of the network portal system, e.g., Office productivity, file format conversion, user interface management, etc. The inventive network portal system is a framework designed to unify the access, modification and creation of structured information." (paragraph 0051), i.e. switching appropriate content with a portal, including user interface management. Therefore, it is the very purpose of Hutsch to be able to provide the appropriate content to a given user by assigning roles to users with particular resource access rights.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 9, 13-17, 34-37, 42, 46-54, 59, 62-67, 69-71, 73 and 74 are rejected under 35 U.S.C. 102(b) as being anticipated by Hutsch et al. (US 2001/0034771 A1).

Claim 1: Hutsch discloses an interactive tool that can configure a portal, comprising:

- a. a first user interface operable to at least one of define and manage the portal (paragraph 0156), wherein
- b. the portal provides access to content in a virtual content repository (VCR), wherein the VCR is a hierarchical representation of a plurality of individual content repositories such that the plurality of individual content repositories appear and behave as a single content repository (paragraphs 24, 25, 109, 110, 0155), and wherein
- c. the portal is associated with a plurality of portal components and the first user interface uses a hierarchy to manage the plurality of portal components (0115); and
- d. a second user interface operable to at least one of define and manage an entitlement for said plurality of portal components, wherein each said portal component can be associated with a different set of roles, and each role in said different set of roles can be entitled with a different set of entitlement capabilities, wherein the second user interface is adapted to allow a user to select a role from said different set of roles for a portal component in said plurality of portal

components, and the second user interface is further adapted to allow the user to select different entitlement capabilities from a said different set of entitlement capabilities for the selected role for said portal component (paragraphs 0156, 0324); and wherein

- e. the interactive tool runs on at least one processor (paragraph 0324).

Claim 2: Hutsch discloses the interactive tool of claim 1, and Hutsch further discloses the first user interface operable to define and/or manage one of: a desktop, a book, a page, a portlet, a shell, a theme, a menu, a look and feel, and a layout (paragraphs 0031, 0095, 0100).

Claim 3: Hutsch discloses the interactive tool of claim 1 and Hutsch further the portal operates to include a desktop that can be defined based on a template (paragraphs 0031, 0095, 0100).

Claim 4: Hutsch discloses the interactive tool of claim 1 and Hutsch further discloses the portal operates to include a desktop that is a user-specific view of a portal (paragraphs 0094, 0095 and 0100).

Claims 6-8: canceled

Claim 9: Hutsch discloses the interactive tool of claim 1 and Hutsch further discloses said entitlement determines what capabilities are available to a portal visitor for said plurality of portal components (paragraph 0324).

Claims 10, 11: canceled

Claim 13: Hutsch discloses the interactive tool of claim 1 and Hutsch further discloses the portal operates to include a portlet can dynamically present content (paragraph 0093).

Claim 14: Hutsch discloses the interactive tool of claim 1, and Hutsch further discloses a fourth user interface operable to define and/or manage personalization of the portal (paragraphs 0093, 0230).

Claim 15: Hutsch discloses the interactive tool of claim 14 and Hutsch further discloses the fourth user interface is operable to define and/or manage a content placeholder (paragraphs 0031, 0093, 0230, 0248).

Claim 16: Hutsch discloses the interactive tool of claim 14 Hutsch discloses the fourth user interface is operable to define and/or manage a content selector (paragraphs 0094, 0100).

Claim 17: Hutsch discloses the interactive tool of claim 1 and Hutsch further discloses a fifth user interface operable to define and/or manage delegated administration (paragraphs 0156, 0310, 0316).

Claims 18-33: canceled

Claims 34-37, 42, 46-50 disclose the steps of a method to be performed by the interactive tool of claims 1-4, 9 and 13-17, respectively, and are rejected along that same rationale.

Claims 51-54, 59 and 63-67 disclose a machine readable medium having instructions stored thereon that when executed by a processor cause a system to execute the interactive tool of claims 1-4, 9 and 13-17, respectively, and are rejected along that same rationale.

Claim 62: Hutsch discloses the machine readable medium of claim 51 and Hutsch further discloses instructions that when executed cause the system to: provide a content management user interface operable to at least one of define and manage content in the VCR, wherein the content management user interface allows a user to modify the VCR by dragging and dropping graphical objects representing VCR nodes (paragraph 0037).

Claim 69: Hutsch discloses the interactive tool of claim 1 and Hutsch further discloses each content repository in the VCR is a searchable data store and provides content life cycle management (paragraph 0327, 0510).

Claim 70: Hutsch discloses the interactive tool of claim 1 and Hutsch further discloses the interactive tool is associated with a content model that represents a combined content of all repositories as a hierarchical namespace of nodes and each content repository implements content management operations on the content model differently for the particular content repository (paragraphs 0024, 0025, 0109, 0110, 0135).

Claim 71: Hutsch discloses the interactive tool of claim 1 and Hutsch further discloses the interactive tool is associated with one or more content caches that are used to buffer search results and recently accessed content repositories (paragraph 0327).

Claim 72: canceled

Claim 73: Hutsch discloses the interactive tool of claim 1, and Hutsch further discloses each portal component of the plurality of portal components is associated with one or more nodes in the VCR, and the interactive tool allows a user to change entitlement capabilities of a portal visitor to access the one or more nodes in the VCR through the said portal component, by changing one or more properties associated with the one or

more nodes in the VCR (paragraph 0335).

Claim 74: Hutsch discloses the interactive tool of claim 73, and Hutsch further discloses the interactive tool allows a user to change entitlement capabilities of a portal visitor to access the one or more nodes in the VCR through the said portal component, by changing one or more properties associated with the portal component (paragraph 0335).

Claim 76. Hutsch discloses the interactive tool of claim 1, and Hutsch further discloses the second user interface provides to a user a different set of entitlement capabilities for a same role selected by the user for different portal components (paragraph 0324, "This means various user roles with different access rights to system resources can be defined." Furthermore, Hutsch discloses "For example, a user profile can include any or all of: ... User policies regarding personal data and resources, who can access them, what type of access, etc.;" (paragraphs 0310 and 0314). These administrative abilities to assign resource access rights to a user are open ended; there are no restrictions to pre-defined or fixed access rights for a particular user role. Hutsch makes no reference to pre-defined or fixed access rights in the specification; therefore there is no reason to believe that an administrator would be limited to certain access rights for particular users. Further, the inventive concept of Hutsch is "In one embodiment, the inventive network portal system is used for

providing the interfacing and aggregation of services via a network, and acts as a content switch leading these streams to the appropriate service filters of the network portal system, e.g., Office productivity, file format conversion, user interface management, etc. The inventive network portal system is a framework designed to unify the access, modification and creation of structured information." (paragraph 0051), i.e. switching appropriate content with a portal, including user interface management. Therefore, it is the very purpose of Hutsch to be able to provide the appropriate content to a given user by assigning roles to users with particular resource access rights..

Claim 77. An interactive tool that can configure a portal, comprising:

- a. a first user interface operable to at least one of define and manage the portal, wherein the portal is associated with a plurality of portal components and the first user interface uses a hierarchy to manage the plurality of portal components (paragraphs 0024, 0025, 0109, 0110, 0115, 0155, 0156); and
- b. a second user interface operable to at least one of define and manage entitlement for said plurality of portal components, wherein each said portal component can be associated with a different set of roles, and each role in said different set of roles can be entitled with a different set of entitlement capabilities, wherein the second user interface is adapted to allow a user to select a role from

said different set of roles for a portal component in said plurality of portal components, and the second user interface is further adapted to allow the user to select different entitlement capabilities from said different set of entitlement capabilities for the selected role for said portal component (paragraph 0324, "This means various user roles with different access rights to system resources can be defined." Furthermore, Hutsch discloses "For example, a user profile can include any or all of: ... User policies regarding personal data and resources, who can access them, what type of access, etc.;" (paragraphs 0310 and 0314). These administrative abilities to assign resource access rights to a user are open ended; there are no restrictions to pre-defined or fixed access rights for a particular user role. Hutsch makes no reference to pre-defined or fixed access rights in the specification; therefore there is no reason to believe that an administrator would be limited to certain access rights for particular users. Further, the inventive concept of Hutsch is "In one embodiment, the inventive network portal system is used for providing the interfacing and aggregation of services via a network, and acts as a content switch leading these streams to the appropriate service filters of the network portal system, e.g., Office productivity, file format conversion, user interface management, etc. The inventive network portal system is a framework designed to unify the access,

modification and creation of structured information."

(paragraph 0051), i.e. switching appropriate content with a portal, including user interface management. Therefore, it is the very purpose of Hutsch to be able to provide the appropriate content to a given user by assigning roles to users with particular resource access rights.); wherein

- c. the interactive tool runs on at least one processor (paragraph 0324).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
5. Claims 5, 38 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutsch et al. (US 2001/0034771 A1) in view of Anuff et al. (US 2003/0056026 A1).

Claim 5: Hutsch discloses the interactive tool of claim 1, but does not disclose a third user interface operable to define and/or manage a desktop; and wherein the third user interface can render a preview of the desktop. However, Anuff discloses a user interface used to provide a preview of a portal or website (paragraph 0107). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a third user interface operable to define and/or manage a desktop; and wherein the third user interface can render a preview of the desktop to Hutsch. One could have been motivated to add a third user interface operable to define and/or manage a desktop; and wherein the third user interface can render a preview of the desktop to Hutsch in order to "control accessibility to the site," as disclosed in Anuff (paragraph 0107).

Claim 22: canceled.

Claim 38: Claim 38 reflects the steps of a method to be performed by the interactive tool of claim 5, respectively, and is rejected along that same rationale.

Claim 55: Claim 55 reflects a machine readable medium having instructions stored thereon that when executed by a processor cause a system to execute the interactive tool of claim 5, and is rejected along that same rationale.

6. Claims 12, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutsch et al. (US 2001/0034771 A1) in view of (Hoffman et al. US 2003/0069766 A1).

Claim 12: Hutsch discloses the interactive tool of claim 1 but does not disclose a content management user interface that allows a user to modify the VCR by dragging and dropping graphical objects representing VCR nodes. However, Hoffman discloses a hierarchy management feature wherein a node in a hierarchy can be dragged and dropped to another node in the hierarchy (paragraphs 1032, 1038). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the content management user interface allows a user to modify the VCR by dragging and dropping graphical objects representing VCR nodes to Hutsch. One could have been motivated to add the content management user interface allows a user to modify the VCR by dragging and dropping graphical objects representing VCR nodes to Hutsch because this feature, in addition to other features, is required to manage authorization and access with hierarchies (paragraph 1025).

Claim 28: canceled.

Claim 45: Claim 45 reflects the steps of a method to be performed by the interactive tool of claim 12, respectively, and is rejected along that same rationale.

7. Claim 75 is rejected under 35 U.S.C. 102(b) as being unpatentable over Hutsch et al. (US 2001/0034771 A1).

Claim 75. Hutsch discloses the interactive tool of claim 1, however, Hutsch does not disclose the set of entitlement capabilities includes view, edit, remove, minimize and maximize, as disclosed in the claims. However, Hutsch discloses "In still yet another embodiment, the presentation and logic system includes a profiling service and a profiling service configuration file coupled to the profiling service. The profiling service configuration file includes a decision tree wherein the decision tree performs actions." (paragraph 0029), "An action of the decision tree determines a component that is used for the at least one placeholder in the body region." (paragraph 0031) and "All of the settings in network portal system 100 are stored by configuration server 336. This includes user-specific, application-specific and device-dependent configurations. ... Instead of monitoring the status of various configuration files, an administrator views and modifies the settings at a central location when necessary." (paragraph 0156). That is, the profiling service configuration file includes a decision tree that dynamically determines a component that is used for at least one placeholder in a template, and modifies the configuration settings. Therefore, considering the teachings of Hutsch, it would have been obvious to

one having ordinary skill in the art at the time of the invention to add the set of entitlement capabilities includes view, edit, remove, minimize and maximize to the teachings of Hutsch. One would have been motivated to add to the teachings of Hutsch in order to provide more control within the system to limit users who can customize content.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN HEFFINGTON whose telephone number is (571)270-1696. The examiner can normally be reached on 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boris M. Pesin can be reached on 571-272-4070. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMH

9/19/11

/Boris Pesin/

Supervisory Patent Examiner, Art Unit 2172